

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 4/26/11
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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
ANDRE ANTROBUS,

Plaintiff,

-against-

DEPARTMENT OF CORRECTIONS, et al.,

Defendants.
-----X

ORDER OF SERVICE

11 Civ. 2422 (RMB)

Plaintiff names Mayor Bloomberg as a Defendant but fails to allege that Mayor Bloomberg was personally involved in any violation of Plaintiff's rights. Plaintiff's § 1983 claims against Mayor Bloomberg must therefore be dismissed for failure to state a claim on which relief can be granted. 28 U.S.C. § 1915(e)(2)(B)(ii).

The Clerk of Court is directed to issue a Summons as to the remaining Defendants, and Plaintiff is directed to serve the Summons and Complaint on Defendant Phillips and the New York City Department of Correction within 120 days. See Fed. R. Civ. P. 4(m). If service has not been made within the 120 days, and Plaintiff fails to show good cause, in writing, why service has not been made, the Complaint may be dismissed, for failure to prosecute, pursuant to Rules 4 and 41 of the Federal Rules of Civil Procedure.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

Dated: April 26, 2011
New York, New York



RICHARD M. BERMAN
United States District Judge